

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Appl. No.: | 09/669,486 |) | Confirmation No.: | 3085 |
| | |) | | |
| Applicant: | Flockhart et al. |) | TC/A.U. | 3688 |
| | |) | | |
| Filed: | 09/25/2000 |) | Examiner: | Alvarez |
| | |) | | |
| Docket No.: | 4366-20 |) | | |
| | |) | | |
| For: | ROUTING BASED ON THE |) | | |
| | CONTENTS OF A SHOPPING |) | | |
| | CART |) | | |

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits this Comments on Statement of Reasons for Allowance to address further the Notice of Allowability ("Notice") having a mailing date of March 7, 2010.

In the Notice, the Examiner's stated reasons for allowance were that:

Miloslavsky (6,597,685) is directed to an Internet Protocol-capable call center system (Miloslavsky 2:29-43). When the server delivers the request and the data to the SRP, the SRP delivers the information to an external router that reserves a telephone number and associates it with a telephone used by the selected service agent. The telephone number received by the SRP is sent to the server, which in turn sends the number to the customer's browser, which then dials the telephone number so as to establish telephone connection to the selected service agent (Miloslavsky 15:22-40). The processing center contains detailed information on each support person, products and customers. Information of support persons includes the skill set, including product expertise and prior relationship with customers. Information of customers includes the content of their previous e-mails and the products they bought. A router selects the most qualified and available support person to respond to a particular e-mail. An e-mail-to-CTI-server adapter extracts relevant information from e-mails by parsing the content of the e-mails to extract appropriate information from the content of the e-mails in accordance with predetermined criteria. Routing could be based on the product expertise of the support person (Miloslavsky 36:55- 38:22).

Walker (6,088,444) is directed to a processing center contains detailed information on each support person, products and customers. Information

of support persons includes the skill set, including product expertise and prior relationship with customers. Information of customers includes the content of their previous e-mails and the products they bought. A router selects the most qualified and available support person to respond to a particular e-mail. An e-mail-to-CTI-server adapter extracts relevant information from e-mails by parsing the content of the e-mails to extract appropriate information from the content of the e-mails in accordance with predetermined criteria. Routing could be based on the product expertise of the support person (Miloslavsky 36:55 – 38:22).

O'Neil (EP 0 866 407 A1) teaches a telemarketing server accepts a telemarketing request from the customer, and forwards the request to the agent if the agent is available, and to a queue if the agent is not available.

Article titled "When Talk Isn't Cheap" Sm@rt Reseller, c. 3, no 13, p. 50, 4/3/2000 teaches the services offered by eGain Communications Corp. include eGain Live as well as e-mail, CTI and Web self-service programs. EGain Live's %routing%%rules% include click-stream information, so response priority can be given to customers with an %item% in their shopping %basket% or based on previous purchases, and the software dynamically serves Web features based on the limitations of a user's connection.

As per Board of Appeal's decision, the references alone or in combination fail to teach **"receiving, from the customer and as part of the same transaction, a request for servicing by an agent of the contact center, wherein the servicing is to be effected by a second contact with the customer on a second communication channel different from the first communication channel...; evaluating at least one item in the set of one or more items to identify at least one of an item and type in the set, where the step is performed by the applet when the applet is being executed by the customer's computer and routing the request of the customer5 to an agent in the contact center, the agent being selected based, at least in part, on the identified at least one of the item value and the item type, wherein the set of one or more items is a shopping cart, wish cart, and/or wish list"**.

Based on the Notice, the patentability of all other independent and dependent claims is assumed to be based upon the elements as set forth in such claims and that such claims meet all criteria for patentability under §101, §102, §103 and §112.

As is clear from MPEP 1302.14,

"The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth."

While the above-stated may be a stated reason for allowing some independent claims, Applicant submits that some independent claims have a different reason for allowance and that some independent claims have other reasons for allowance.

Specifically, the prior art fails to teach the following features of Claims 44, 58 and 71:

44. A method, comprising:

(a) providing, on a first communication channel and as part of a first contact with a customer, the first contact being a potential sales transaction with the customer, at least one web page to a web browser associated with the customer, wherein the customer selects, for possible purchase, a set of one or more items from the provided at least one web page;

(b) receiving, from the customer and as part of the same sales transaction, a request for servicing by an agent of the contact center, wherein the servicing is to be effected by a second contact with the customer on a second communication channel different from the first communication channel;

(c) downloading, onto a computer executing the customer's web browser, an applet;

(d) evaluating at least one item in the set of one or more items to identify at least one of (i) an item value and (ii) item type in the set, wherein step(d) is performed by the applet when the applet is being executed by the customer's computer; and

(e) routing the request of the customer to an agent in the contact center, the agent being selected based, at least in part, on the identified at least one of (i) item value and (ii) item type, wherein the set of one or more items is a shopping cart, wish cart, and/or wish list.

58. A system, comprising:

a server operable (a) to provide, on a first communication channel and as part of a first contact and a potential sales transaction with a customer, at least one web page to a web browser associated with the customer, wherein the customer selects, for possible acquisition, a set of one or more items from the provided at least one web page; and (b) receive, from the customer and as part of the same sales transaction, a request for servicing by an agent of the contact center, wherein the servicing is to be effected by a second contact with the customer on a second communication channel different from the first communication channel;

an evaluator operable to evaluate at least one item in the set of one or more items to identify at least one of (i) an item value and (ii) item type in the set; and

a router operable to route the request of the customer to an agent in the contact center, the agent being selected based, at least in part, on the identified at least one of (i) item value and (ii) item type, wherein the server is operable (c) to effect downloading, onto a computer executing

the customer's web browser, an applet and wherein the applet comprises the evaluator.

71. A method for routing contacts in an E-commerce contact center, comprising:

(a) providing, on a first communication channel and as part of a potential sales transaction with a customer, at least one web page to a web browser associated with the customer, wherein the customer selects, for possible purchase, a set of one or more items from the provided at least one web page;

(b) receiving, from the customer and as part of the same sales transaction, a request for servicing by an agent of the contact center, wherein the servicing is to be effected on a second communication channel different from the first communication channel;

(c) downloading, onto a computer executing the customer's web browser, an applet comprising an evaluator;

(d) the downloaded evaluator evaluating at least one item in the set of one or more items to identify at least one of (i) a value of one or more items and (ii) a type of one or more items in the set;

(e) receiving from the downloaded evaluator an identified at least one of (i) a value of one or more items and (ii) a type of one or more items in the set;

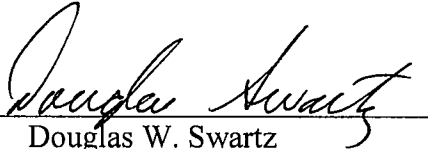
(f) routing the request of the customer to an agent in the contact center, the agent being selected based, at least in part, on the identified at least one of (i) a value of one or more items and (ii) a type of one or more items in the set.

Although the Applicant believes that no fees are due for filing this Comments on Statement of Reasons for Allowance, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,

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Date: March 23, 2010

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